# REMARKS

Claims 1-120 are pending. In this Response, claims 6-8, 11, 16-19, 26 and 36-38 have been amended, and claims 41-120 have been added.

## I. ABSTRACT OBJECTION

The Abstract is objected to because it exceeds 150 words. Accordingly, the Abstract has been amended to meet this word limitation. Therefore, Applicant respectfully requests that this objection be withdrawn.

## II. SECTION 102 REJECTIONS – SUGIMURA ET AL.

Claims 6-7 and 16-17 are rejected under 35 U.S.C. § 102(e) as being anticipated by *Sugimura et al.* (U.S. Patent 6,076,165).

*Sugimura et al.* discloses a digital signal processing apparatus including a time stamp generator that generates a reference time having a same format as a first time stamp added to each packet of an inputted digital signal, a comparator comparing the first time stamp added to each packet of the inputted digital signal with a reference time, a time stamp converter that converts the first time stamp added to each packet into a second time stamp having a different format than the first time stamp, and an output circuit outputting an outputted digital signal as packets having the second time stamp converted by the time stamp converter added to each packet when the first time stamp coincides with the reference time.

*Sugimura et al.* fails to teach or suggest removing the field that carries the first time stamp. Instead, *Sugimura et al.* requires that the field remain intact to carry either the first time stamp or the second time stamp.

Claim 6 recites "a respective corresponding encoded packet including a given first timing information in a storage timing field . . . and removing the storage timing field from the respective corresponding encoded packet and outputting the respective corresponding encoded packet to a decoder when the act of comparing indicates that a respective transmission time has been reached." (Emphasis added.) Claim 16 recites similar limitations. *Sugimura et al.* fails to

teach or suggest removing a storage timing field, and instead, either retains the first time stamp in the storage timing field or replaces the first time stamp with a second time stamp in the storage timing field. In either instance, the storage timing field remains intact.

In sustaining these rejections, the Examiner states as follows:

> Sugimura et al. discloses . . . removing the given storage timing field from the respective corresponding encoded packet and outputting the respective corresponding encoded packet to a decoder when the act of comparing indicates that a respective transmission time has been reached (switching circuit 2304 of Fig. 23, col. 15, lines 50-62 and col. 17, lines 47-61).

The cited passages state as follows:

> FIG. 23 is a block diagram showing the time stamp conversion circuit 112 according to an embodiment. Numeral 2301 designates a reference signal input terminal supplied with a reference signal, numeral 2302 an input terminal supplied with the packet data output from the reproduced signal processing circuit 113, numeral 2303 a time stamp generator for generating a time stamp on the basis of the reference signal, numeral 2304 a switching circuit for switching the packet data and the time stamp generated by the time stamp generator, numeral 2305 a control circuit for controlling the switching circuit, and numeral 2306 an output terminal for outputting the packet data. (Col. 15, lines 50-62).
>
> The output circuit 111 outputs the packet data with the replacement time stamp in synchronism with the clock generated by the oscillator 2404. The packet input by way of the input terminal 2401 is stored in the buffer 2402 at the rate of, say, 27 Mbps (3.375 Mbytes/sec). The packet is read from the buffer 2402 at the rate of 49.152 Mbps, for example, by the clock generated from the oscillator 2404, and output at the timing shown in FIG.28, i.e., at the same timing as when the recording data is input. As a result, a decoder of the digital compressed video signal, a digital signal recording and reproduction apparatus or the like device for receiving and processing a reproduced packet can directly process the signal after recording and reproduction in the same manner as if it processes the signal before recording. (Col. 17, lines 47-61).

Neither passage even remotely suggests removing a storage timing field that includes a time stamp. For instance, the first cited passage says nothing about removing anything, and the second cited passage merely refers to the packet data with the replacement time stamp.

Switching circuit 2304 is further described as follows:

> The control circuit 2305 turns switching circuit 2304 at a position including the time stamp in the packet data, and replaces the time stamp in the same packet data with the time stamp generated by the time stamp generator 2303. (Col. 17, lines 38-41).

Thus, *Sugimura et al.* not only fails to teach or suggest removing the storage timing field that carries the first or second time stamps, *Sugimura et al.* teaches against this since it would destroy the time stamp information before the packet is read from the disk drive.

Applicant wishes to emphasize that claim 6 recites removing the storage timing field that includes the given first timing information, rather than merely removing the given first timing information. As a result, the claimed step of removing the storage timing field is not met by *Sugimura et al.* replacing the first time stamp with the second time stamp since the storage timing field that carries the first and second time stamps remains intact.

Under 35 U.S.C. §102, anticipation requires that each and every element of the claimed invention be disclosed in the prior art. *Akzo N.V. v. United States International Trade Commission*, 1 USPQ 2d 1241, 1245 (Fed. Cir. 1986), *cert. denied*, 482 U.S. 909 (1987). That is, the reference must teach every aspect of the claimed invention. M.P.E.P. § 706.02.

Therefore, Applicant requests that these rejections be withdrawn.

## III. SECTION 103 REJECTIONS – SUGIMURA ET AL. AND LANE

Claims 8-10 and 18-20 are rejected under 35 U.S.C. § 103(a) as being unpatentable over *Sugimura et al.* in view of *Lane* (U.S. Patent 6,031,960).

Applicant respectfully submits that these rejections are moot for the reasons set forth above for claims 6 and 16.

## IV. SECTION 103 REJECTIONS – SUGIMURA ET AL. AND KATO

Claims 36-37 are rejected under 35 U.S.C. § 103(a) as being unpatentable over *Sugimura et al.* in view of *Kato* (U.S. Patent 6,404,711).

Applicant respectfully submits that these rejections should be withdrawn the reasons set forth above for claim 6.

## V. SECTION 103 REJECTIONS – SUGIMURA ET AL., KATO AND LANE

Claims 38-40 are rejected under 35 U.S.C. § 103(a) as being unpatentable over *Sugimura et al.* in view of *Kato* and *Lane.*

Applicant respectfully submits that these rejections are moot for the reasons set forth above for claim 36.

## VI. OTHER AMENDMENTS

The Specification and Claims have been amended to improve clarity. No new matter has been added.

## VII. NEW CLAIMS

Claims 41-120 have been added to clarify and explicate various features of the invention. No new matter has been added.

Claims 41-50, 51-60, 61-70, 71-80, 81-90, 91-100, 101-110 and 111-120 depend (directly or indirectly) from claims 1, 6, 11, 16, 21, 26, 32 and 36, respectively. Therefore, claims 41-120 are allowable.

## VIII. DRAWING CHANGES

The Appendix with Proposed Drawing Changes is explained as follows.

In Fig. 5, "TIME" is labeled on the horizontal axis (as in Fig. 4). The Specification supports this change at page 5, lines 22-24.

In Fig. 9, "Retrieving" Mechanism 750 is renamed "Receiving" Mechanism 750 for consistency with Fig. 7.

Applicant respectfully requests that these changes be approved in the next written communication.

## IX. FEES

The fee is calculated below:

| For | Claims Remaining After Amendment | Highest Number Previously Paid For | | Extra Claims | Rate | | Additional Fee |
|---|---|---|---|---|---|---|---|
| Total Claims | 120 | - 40 | = | 80 | x $18 | = | $1440 |
| Independent Claims | 8 | - 8 | = | 0 | x $84 | = | $0 |
| Multiple Dep. Claim | 0 | 0 | | | $280 | = | $0 |
| Total Fee | | | | | | = | $1440 |

Please charge the $1440 fee and charge any underpayment and credit any overpayment to Deposit Account No. 13-0016/Q00-1056-US1.

## X. CONCLUSION

In view of the amendments and remarks set forth herein, the application is believed to be in condition for allowance. Should any issues remain, the Examiner is encouraged to telephone the undersigned attorney.

I hereby certify that this correspondence is being deposited with the United States Postal Service as First Class Mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on March 29, 2004.

D Sigmond — 3/29/04

David M. Sigmond
Attorney for Applicant

Date of Signature

Respectfully submitted,

D Sigmond

David M. Sigmond
Attorney for Applicant
Reg. No. 34,013
(303) 702-4132
(303) 678-3111 (fax)

Annotated Sheet Showing Changes

OIPE JC185
APR 0 1 2004
PATENT & TRADEMARK OFFICE

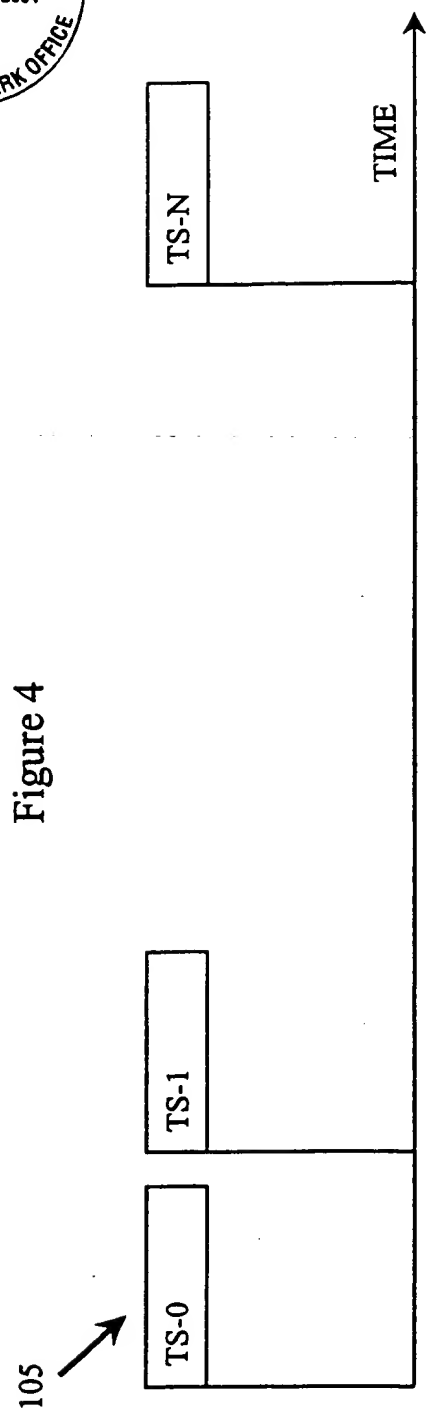


Figure 4

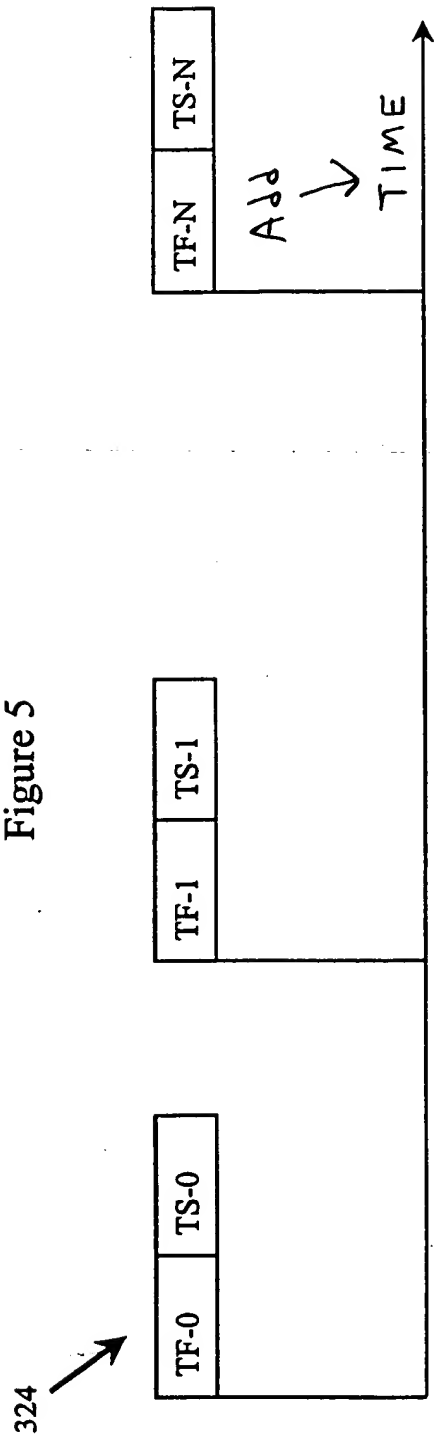


Figure 5

Annotated Sheet Showing Changes

OIPE
APR 0 1 2004
PATENT & TRADEMARK OFFICE
JC18

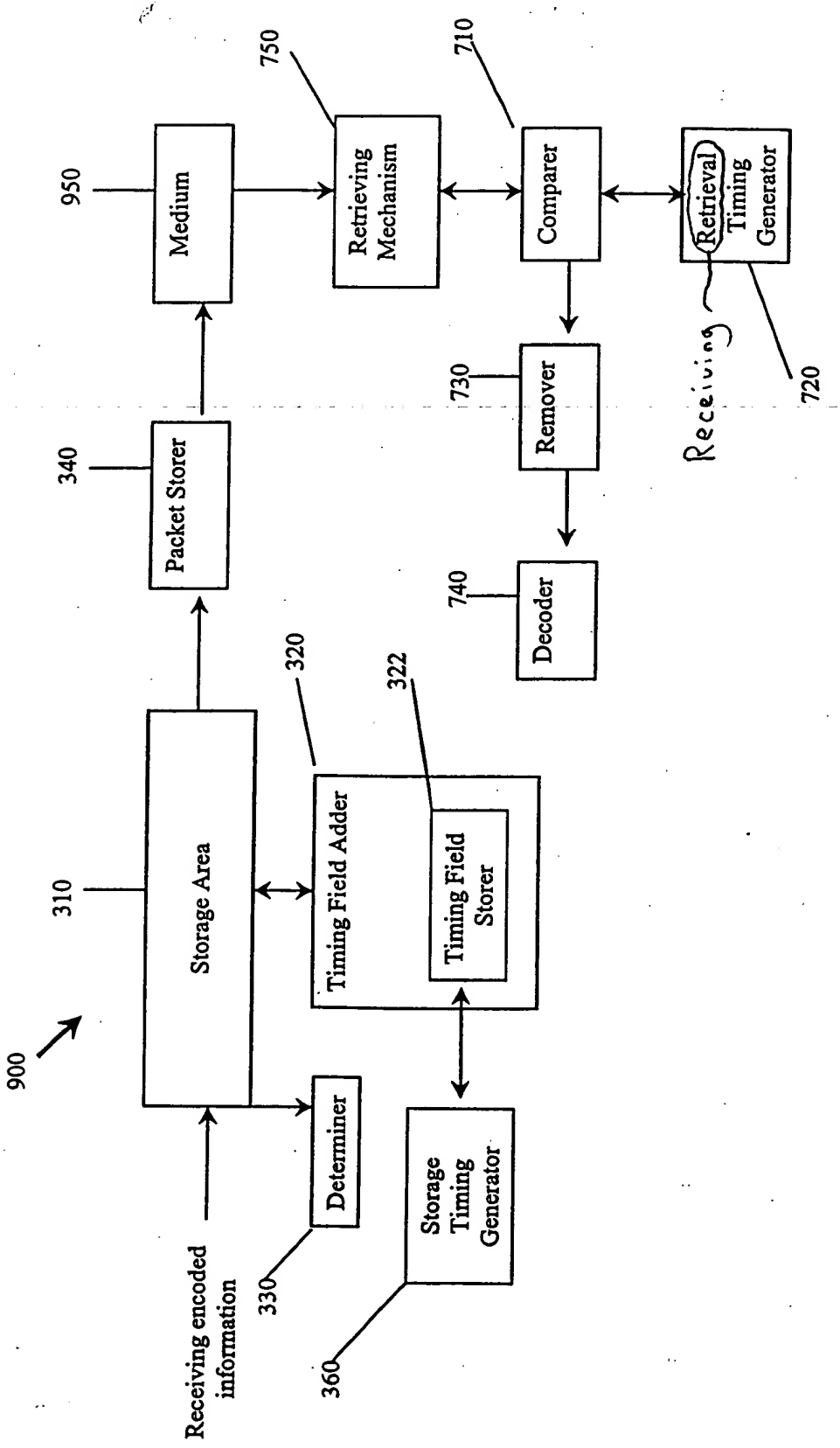


Figure 9